

**ORDER OF THE FOREST SUPERVISOR  
CLOSING AN AREA TO ENTRY, TO WIT:**

**OHV Safety Regulations – Alcohol Prohibition and Helmet Requirement**

**WAYNE NATIONAL FOREST – OHIO**

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR Part 261, Subpart B (36 CFR 261.50(a) and (b)), the following acts and omissions are prohibited on the Wayne National Forest and further described on the closure order map(s).

1. Operating or riding an off-highway vehicle (ATV, UTV, off-highway motorcycle, and dual-sport motorcycle) without eye protection and a helmet that meets United States Department of Transportation safety standards. (36 CFR 261.53(e)) and (36 CFR 261.55(d))
2. Possessing an alcoholic beverage, as defined by state law, while operating an off-highway vehicle (ATV, UTV, off-highway motorcycle, and dual-sport motorcycle). (36 CFR 261.58(bb))
3. Possessing an alcoholic beverage, as defined by state law, within 100 feet of the centerline of the designated OHV trails, Company Road (FR 1985), Coe Road (FR 1980), FR 3602, Hanging Rock Road (FR 105), and Hanging Rock Spur Roads (FR 105-A, B, and C), as defined on the closure order map(s). (36 CFR 261.58(bb))
4. Possessing an alcoholic beverage, as defined by state law, at and within 100 feet of the cleared edges of off-highway vehicle trailheads, as defined on the closure order map(s). (36 CFR 261.58(bb))

**THESE RESTRICTIONS ARE FOR PUBLIC HEALTH AND SAFETY. THEY ARE IN ADDITION TO THE GENERAL PROHIBITIONS SET FORTH IN 36 CFR PART 261. THIS ORDER WILL TERMINATE FIVE YEARS FROM THE DATE OF SIGNATURE UNLESS WITHDRAWN BY TERMINATION ORDER OF THE FOREST SUPERVISOR.**

Pursuant to the provision of 36 CFR 261.50(e), the following persons are exempt from this order:

1. Person(s) with a permit specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50(e)(1)).

**Violation of these prohibitions are punishable by a fine of not more than \$5,000.00 for an individual or \$10,000.00 for an organization, or imprisonment for not more than six (6) months, or both (16 U.S.C. 551, 18 U.S. C. 3559 and 3571).**

Dated this 13<sup>th</sup> day of January, 2011 at Nelsonville, Ohio.

  
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JO REYER  
Forest Supervisor  
Wayne National Forest

## Definitions

**All -Terrain Vehicle (ATV)** – Any motorized off-highway vehicle 50 inches or less in width, can be straddled, travels on three (3) or more low-pressure tires (10 pounds per square inch (PSI) or less, or as recommended by the vehicle manufacturer.)

**Utility-Type Vehicle (UTV)** – Any recreational motorized off-highway vehicle other than an ATV, OHM, dual-sport motorcycle, or snowmobile, designed for and capable of traveling off roads, traveling on four (4) or more low-pressure tires (10 pounds per square inch (PSI) or less, or as recommended by the vehicle manufacturer), and has a maximum width of 50" inches or less. Vehicles wider than 50 inches are currently not permitted on the Wayne National Forest's designated motorized trails. Utility type vehicles do not include golf carts and vehicles specially designed to carry a disabled person.

**Off-Highway Vehicle (OHV)** – Any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain. It includes but is not limited to four-wheel drive and other high-clearance vehicles, low-pressure-tired vehicles (ATV and UTV), motorcycles and related two-wheeled vehicles (OHM), and any other means of transportation deriving power from any source other than muscle or wind; except that such term shall exclude any registered motorboat; any military, fire, or law enforcement vehicle; any farm-type tractor and other self-propelled agricultural equipment used exclusively for agricultural purposes; any self-propelled equipment for harvesting and transporting forest products, or for earth moving or construction while being used for these purposes on the work site (and self-propelled lawnmowers, snow-blowers, garden or lawn tractors, or golf carts while being used for their designed purpose).

**Off-Highway Motorcycle (OHM)** – Any two-wheeled motorized vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use off road. It includes both dirt bikes and dual-sport motorcycles.

**Dual-Sport Motorcycle** – Same as an off-highway motorcycle, except it is also licensed to travel on a road or highway.